S.B.CRIMINAL MISC. BAIL APPLICATION NO. 4201/2006
(Shravan Ram Vs. State of Rajasthan)

DATE OF ORDER : 06/10/2006

HON'BLE MR.H.R.PANWAR, J.

Mr. M.S.Godara for the petitioner.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

Heard learned counsel for the petitioner and Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by learned counsel for the petitioner that the petitioner has lodged a cross case against the complainant for the offences under Sections 457, 354 and 504 IPC and the present FIR is outcome of that cross case instituted by the petitioner. The injuries alleged to have been suffered are simple in nature.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties and keeping in view the serious allegation against the complainant of this case that he has outraged the modesty of petitioner's wife and committed lurking house trespass, without commenting on the merit of the case, I consider it just and proper to allow the bail application filed by the petitioner under Section 438 Cr.P.C.

Accordingly, the bail application filed by the petitioner u/s 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Shravan Ram S/o Chimna Ram in FIR No. 141/2006 P.S. Ratangarh, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear

before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan and move a regular bail.

(H.R.PANWAR), J.

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